

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA, MAINE 04333

July 9, 1976

Honorable Louis Jalbert  
39 Orestis Way  
Lewiston, Maine 04240

Dear Representative Jalbert:

You have asked us to set forth for you the requirements for the proper signing of presidential nominating petitions. Briefly stated, those requirements are as follows:

I. The Law Prior to April 14, 1976:

Prior to April 14, 1976, Maine statutes provided that any candidate seeking nomination to federal office from other than a political party could do so by petition. 21 M.R.S.A. § 491. The signatures could be obtained after January 1 of the election year and before the primary date. 21 M.R.S.A. § 492, sub-§§ 6 and 10. The form of signatures was governed by § 492 of Title 21. It required that the petition:

"be signed personally by the voter in such manner to satisfy the registrar of each municipality concerned that the person signing the petition is, in fact, listed on the voting list of the municipality and resides in the electoral division for which nomination is sought." 21 M.R.S.A. § 492(3), enacted by P.L. 1971, c. 65.

The statute also required that:

"After his name, the voter must personally add his place of residence and street address, if any."  
21 M.R.S.A. § 492(4), amended by P.L. 1969, c. 35.

II. The Law After April 14, 1976:

In 1976 the Legislature amended the way in which signatures were to be placed on nominating petitions. Instead of requiring signatures

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to be sufficient to satisfy the registrar, the Legislature required a specific form of signature as follows:

1. First name and middle name and surname, e.g., John Adam Doe; or
2. First name and middle initial and surname, e.g., John A. Doe; or
3. First initial and middle name and surname, e.g., J. Adam Doe; or
4. First name and surname but only if the signatory had no middle initial, e.g., Richard Doe but not John Doe\* 21 M.R.S.A. § 492(3) as enacted by P.L. 1975, c. 751, § 19. The legislation which effected this change was enacted as an emergency act and became effective April 14, 1976.

The requirement regarding residences and street addresses remained unchanged.

III. Petitions Filed as of June 8, 1976:

In light of the above, it seems clear that petitions filed on June 8, 1976, the primary date for this year, were permitted to contain signatures in two forms. That is, signatures obtained prior to April 14, 1976, would be in proper form if they were sufficient to satisfy the registrar in the municipality that the person was a registered voter in the municipality. Signatures obtained on or after April 14, 1976, had to be in one of the four styles set forth in Part II herein.

I hope that this summary of the status of the law is helpful to you. If you have any more questions, please advise me.

Sincerely,

JOSEPH E. BRENNAN  
Attorney General

JEH:mfe

cc: Markham L. Gartley

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\* Interestingly, no provision was made for signing a petition by first initial, middle initial and surname, as J. A. Doe.